

Triview Metropolitan District Board of Directors

Triview Metropolitan District – Board Room
16055 Old Forest Point, Suite 300
Monument, CO 80132

Meeting Minutes

Board of Director's Regular Meeting – April 8, 2014

- 1. Call to Order:** President Robert Fisher called the meeting to order at 5:03 p.m. Board members present were Secretary/Treasurer Bob Eskridge, and Director Steve Martinez. Staff and contractors present were Valerie Remington, District Manager; Gary Shupp, General Counsel, and Chris Cummins, Water Counsel.
- 2. Declaration of a Quorum, Notice & Posting:** President Fisher declared a quorum present and that the public notice of this Board meeting has been duly posted.
- 3. Approval of Agenda:** Recommendation to move Item 13 to after the Executive Session. Motion to approve the agenda as amended was made by Director Eskridge and seconded by Director Martinez. Motion approved.
- 4. Approval of Consent Agenda:** Motion to approve consent agenda was made by Director Eskridge and seconded by Director Martinez. Motion approved.
- 5. Public Comment:** None.
- 6. ORC, LLC Water Operations Proposal:** Tom Schubert and Gabby Begeman presented a service contract proposal that would expand their coverage and operation of the Triview system. The Board wanted to take time to discuss the proposal and would have Valerie get back to ORC.
- 7. Review of February 2014 Financials:**
 - a. Disbursements over \$5000:** Check to John R. Hurley Asphalt, LLC for mill and patch of asphalt in the amount of \$34,000.00. Check to Felt, Monson & Culichia, LLC for legal counsel in the amount of \$8,061.15. Motion to approve the checks over \$5000 was made by Director Eskridge and seconded by Director Martinez. Motion approved.
 - b. February 2014 Financials:** Financials presented by Cathy Fromm, CRS of Colorado, and LLC. Motion to approve the February 2014 financials made by Director Eskridge and seconded by Director Martinez. Motion approved.
 - c. Projection Report by CRS:** The cash projection report was presented by Cathy Fromm. Expenditures in the Enterprise Fund will exceed revenues this year due to a \$1.5 million

outlay for the water agreement. President Fisher pointed out that there is a lot of expense in running a water district. Large costs for infrastructure and water are not out of the ordinary and can be expected in future years.

The Board thanked Cathy and let her know that this report is very helpful in planning for the future.

The US Bank account will be closed once all of the transfers have been moved to Peoples Bank.

The audit starts May 12.

- 8. Decision on Refinancing with Northstar Bank – Commitment Letter:** The changes that the Board had requested were included in this commitment letter. There is one item that was not addressed before and that was the repayment terms. The term sheet has payments of principle plus interest. It increases payment amounts in the early years, however, it does have principle half way paid off half way through the loan. The other payment plan would be principle and interest. This one is lower payments and the principle balance would not be paid off half way through the loan. There were questions regarding the covenants. These calculations will be done on an annual basis as opposed to the quarterly calculations required by CWRPDA. The Board directed Valerie to sign the commitment letter pending the positive calculations of the debt service coverage by Cathy using the cash projections as presented in the financials. The Board chose to leave the repayment as principle plus interest.

- 9. Decision on Rate Increase for Tap/Impact Fees:** Current tap and impact fees were reviewed and suggested changes were discussed. Fees were also compared to surrounding districts. The Board wanted the fee schedule to be revised with their input as follows: water tap fee adjust up 10%, sewer tap fee adjust up taking the debt for the sewer plant into account, and reuse tap fee should be charged. Check with John McGinn to get his input as to what a reasonable reuse fee should be. Drainage impact fee, park, rec & landscape fee, and road & bridge fee should also be adjusted up 10%. Water impact fee will be determined by subdivision as needed. The Board would like to have a separate account set up for renewable water fees. It does not have to be a restricted account.

The Board directed Chris Cummins to bring a resolution to the Board that will require developers to include in their design and build, purple pipe for reuse in all parks or open space.

Commercial tap fees are based on SFE's. This is a flow through from the residential chart. Take out video rental line item. Include car wash with gas station. Take out the reuse fee for commercial. Leave the other impact fees the same.

- 10. Decision on Rate Increase for Water and Wastewater:** Review and discussion of water and sewer rates by the Board. Recommendations were to increase the base rate for water and

sewer and only increase the water usage rates in the top 3 tiers. Block 3 and block 4 usage rate will increase by 10% and block 5 will increase by 20%.

Robert will be writing a letter to send to the residents to notify of the increase.

Motion was made by Director Eskridge to adopt new water and wastewater rates as discussed effective June 1, 2014. Motion seconded by Director Martinez. Motion approved.

11. Resolution of the Board of Directors of Triview Metropolitan District Concerning

Development of Utility Infrastructure and Inclusion Policies: Motion was made by Director Eskridge to adopt Resolution 03-2014 as presented to include the Inclusion Agreement as attached and seconded by Director Martinez. Motion passed.

12. Resolution of the Board of Directors of Triview Metropolitan District Adopting Water

Development Requirements and In-Lieu-Of Fees: Motion was made by Director Eskridge to adopt Resolution 04-2014 as presented and seconded by Director Martinez. Motion passed.

13. Operation Report:

VFD harmonic filters for B Plant-due to the necessity to implement this before the next Board meeting, the District Manager went ahead and approved the plan to purchase the filters. The plan that was adopted was the one recommended by JDS Hydro. The Board approved the purchase and installation of the filters.

Road examinations were done along with the road engineer at JDS Hydro. Stan felt that our patches and the crack seal is an excellent plan. He also examined the area around Talus and Coquina. The recommendation was this was fine and should not be part of this year's plan. Recommendations were to repair the patch on JCP east lane, approximately 60 linear feet. And, lower Leather Chaps patch on east side, 160 linear feet, 55 linear feet, and 8 foot T-patch.

Promontory Point Fire Hydrant was accepted in Phase 1 on 12/3/12

12" water line preliminary location for the service to the west side of I-25 was presented. This may still change.

Classic was holding us up on the start up on the booster pump. This has been changed and the pump start up is beginning. Letters that will be sent to customers are included in the packet.

D4 well should be out to bid by the next Board meeting.

14. Manager Report:

HR reference and information line is now available for us to use at no cost. This is being provided by our insurance company.

Scholarship for training has been awarded to pay for conferences that District Manager attended.

Reminder: The Board should complete training to reduce our property and casualty insurance for next year.

Water restrictions reminder will be on the water bills.

Smoking policies were discussed for buildings, offices and vehicles. No smoking in Triview facilities. Triview also has a no alcohol and drug policy. The District Manager will be putting these policies in writing for the Board to review.

15. Recognition Award: A plaque was presented to Robert Eskridge in grateful appreciation of your many years of dedication and diligence to the Triview Metropolitan District Board of Directors. This is the last meeting for Robert as he is term limited and will be leaving the Board at the end of April.

16. Executive Session: The meeting was adjourned to executive session at 7:44 p.m. by President Fisher pursuant to C.R.S.24-6-402(4) (b) for conference with attorney for advice on specific legal questions.

Return to Open Session 9:28 pm

17. Decision Regarding the Water Agreement and Decision Regarding the Intergovernmental Agreement Water Use and Storage: Motion was made by Director Eskridge to accept the Intergovernmental Agreement Water Use and Storage and the Water Agreement and that the Board will sign them and authorize Valerie to deliver them subject to Triview receiving confirmation that the suit has been dropped with prejudice thereby settling 14CV30875 litigation. All other parties have already approved the agreements. Triview's signature makes them official. Motion seconded by Director Martinez. Motion approved.

18. Adjournment: The meeting was adjourned at 9:29 pm.